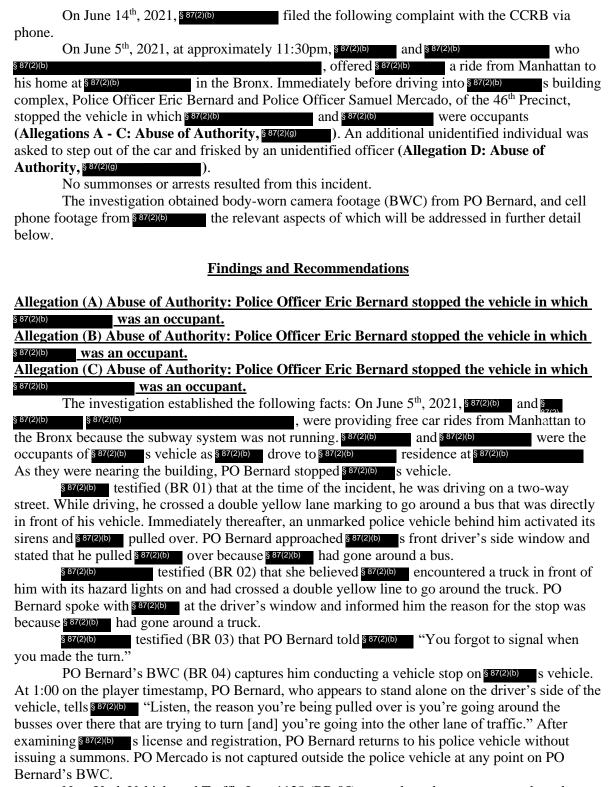
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Force	☐ Discourt.	U.S.
Carlo Vescovi		Squad #14	202004243	✓ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:	l	Precinct:	18 Mo. SOL	EO SOL
Friday, 06/05/2020 11:30 PM		Outside of § 87(2)(b)		46	12/5/2021	5/4/2022
Date/Time CV Reported		CV Reported At:	How CV Reported:	Date/Tin	ne Received at CCI	RB
Sun, 06/14/2020 5:16 PM		CCRB	Phone	Sun, 06/1	14/2020 5:16 PM	
Complainant/Victim	Туре	Home Addre	ess			
		-				
			~ .			
Subject Officer(s)	Shield	TaxID	Command			
1. POM Eric Bernard	19619	958308	046 PCT			
2. An officer						
Witness Officer(s)	Shield N	o Tax No	Cmd Name			
1. POM Samuel Mercado	08374	957851	046 PCT			
Officer(s)	Allegatio	on		Inv	vestigator Recon	nmendation
A.POM Eric Bernard	Abuse: P which § 8	Police Officer Eric Berna (7(2)(b) was an o	cle in			
B.POM Eric Bernard	Abuse: P which § 8	Police Officer Eric Berna (2)(b) was an occupan	cle in			
C.POM Eric Bernard	Abuse: P which §8	olice Officer Eric Berna				
D. An officer	Abuse: A	Abuse: An officer frisked an individual.				

Case Summary



New York Vehicle and Traffic Law 1128 (BR 05) states that whenever any roadway has been divided into two or more clearly marked lanes for traffic, a vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has

first ascertained that such movement can be made with safety.
Allegation (D) Abuse of Authority: An officer frisked an individual. provided the investigation with cellphone footage (BR 06) that he testified he recorded during this incident. The footage shows a frisk, alleged to have occurred during the vehicle stop. At 1:24 on the player timestamp, a white male officer in plainclothes uses his left hand squeeze the jacket pockets of unidentified individual. A request for a UF250 Stop Report based on incident location yielded negative results. A request for the stop report log from the 46 th Precinct also yielded negative results (BR 14). PO Bernard's BWC does not capture any frisk during the car stop. PO Bernard does not ask anyone to step out of the vehicle, nor does it capture a fourth occupant inside step out of the vehicle, nor does it capture a fourth occupant of the vehicle during his testimony regarding this incident. When contacted by the investigation to identify of the individual captured in the video, stated that stated that would know the individual's name. Neither styles of Authority: An officer frisked an individual in the vehicle, nor did they raise any allegations of a frisk of an occupant of the vehicle.
Civilian and Officer CCRB Histories
• \$87(2)(b) has been party to one CCRB complaint and has been named as a victim in five of allegations (BR 07): • \$87(2)(b)
 This is the first complaint to which \$87(2)(b) has been a party (BR 08). This is the first complaint to which \$87(2)(b) has been a party (BR 09). PO Bernard has been a member of service for and has been a subject in 7 CCRB complaints and 28 allegations, of which one was substantiated: 201603787 involved a substantiated allegation of entry of premises against PO Bernard.

Mediation, Civil, and Criminal Histories

The Board recommended formalized training and the NYPD imposed no penalty.

- \$87(2)(b) declined to mediate this complaint.
- As of July 8th, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to complaint (BR 10).

§ 87(2)(g)

[3 01 (2)(0)] [33 00(1)(0)(4)] [3 0) (2)(0)]		
Squad: <u>14</u>			
Investigator:	C.V. Signature		
Squad Leader:	Cassandra Fenkel Signature	_IM Cassandra Fenkel Print Title & Name	<u>08/10/2021</u> Date
Reviewer:	Signature	Print Title & Name	Date